



## COUNTY OF SAN DIEGO

### CABLE TELEVISION AND TELECOMMUNICATIONS REVIEW COMMISSION

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**September 3, 2004**

TO: GRANT APPLICANTS

FROM: BARRY FRASER  
CABLE FRANCHISE ADMINISTRATOR

**RE: 2004-2005 CABLE TELEVISION GRANT AWARD PROGRAM**

The County of San Diego Board of Supervisors has approved the Community Partnership for Cable Television Grant Program for this fiscal year. The County of San Diego Cable Television and Telecommunications Review Commission and the Department of Media and Public Relations administers these grant funds.

Enclosed you will find an application packet, which includes (1) Grant Program Overview; (2) Application Checklist; (3) Application Summary Page; (4) Production Budget Sheet; (5) Video Production Guidelines; and (5) Grant Program Agreement.

The Commission invites interested applicants to submit proposals for the development and production of half-hour video programs designed to educate and inform the residents of San Diego County. Non-profit organizations, community groups and educational institutions must partner with a County department/agency to qualify for a grant. For the 2004-2005 grant cycle, the Commission will award up to \$10,000 for projects demonstrating exceptional merit. Completed grant programs may be cablecast on CTN, the County Television Network, available on Cox Communications Channel 19 (North County), Cox Communications Channel 24 (South County), Time Warner Cable Channel 22 and Adelphia Communications Channel 66.

**Please note that the deadline for submission of applications is Monday, November 15, 2004, with awards disbursed beginning in March of 2005.** The Commission looks forward to receiving your proposal. In the meantime, should you have any questions or require further information, please contact Barry Fraser at (619) 595-4640, Jackie Collins at (619) 595-4680, or visit the CTN Web site, at [www.ctn.org](http://www.ctn.org).

**COMMUNITY PARTNERSHIP FOR CABLE TELEVISION  
GRANT PROGRAM**

**Timetable**

**2004-2005**

**(ALL DATES SUBJECT TO CHANGE)**

Mail Out Notice of Application Availability .....	September 3, 2004
Application Deadline .....	November 15, 2004
Project Evaluations .....	November 16 – December 6, 2004
Evaluation Committee Meeting .....	December 9, 2004
Recommendations to Cable TV Review Commission .....	January 10, 2005
Board of Supervisor Approval .....	February 22, 2005
Notifications of Awards .....	February 25, 2005
Deadline for Completion .....	August 31, 2005

**COMMUNITY PARTNERSHIP FOR CABLE TELEVISION  
GRANT PROGRAM 2004-2005  
Application Instructions**

**BACKGROUND AND MISSION**

The County of San Diego Board of Supervisors established the COMMUNITY PARTNERSHIP FOR CABLE TELEVISION GRANT PROGRAM (“Grant Program”) in 1984. The Grant Program’s mission is to benefit the residents of San Diego County by promoting the development of high quality cable television programming designed to educate and inform the public about important and timely local government issues and programs. The County Cable Television and Telecommunications Review Commission (“Commission”) administers the grant program. The County Television Network (“CTN”) will cablecast approved programs submitted by Grant Program participants.

In the past, the goals of the Grant Program were to develop new ideas for government access programming, and to provide additional program content for the County’s underutilized access channel. Today, however, CTN produces its own schedule of high-quality programming. The Grant Program has evolved into a means to spark development of diverse, creative and innovative programming to complement the award-winning programming already produced by CTN. **Additional goals for 2004-2005 are to encourage programs that highlight efforts to support the County’s designated Strategic Initiatives: Kids, the Environment, and Safe and Livable Communities.**

**ELIGIBILITY**

Funds are available to non-profit organizations that demonstrate a partnership with any San Diego County department or agency. Partners must be willing to make a commitment to work together to produce informative programming for the benefit of San Diego County residents. No government entity receiving any cable television franchise fees is eligible to apply.

County departments/agencies that wish to apply, but are unsuccessful in partnering with a non-profit organization, must demonstrate that efforts were made to find a partner, but were unsuccessful. Letters from the director of the non-profit organization(s) approached will be sufficient evidence of these efforts.

**All applications must include a letter of support and commitment to participate from an eligible County department/agency, signed by the appropriate County Department head. The Commission will reject all Applications without such signed letters.** Thus, projects that promote citizen participation in community problem identification and the development of shared solutions are highly desirable.

**PROGRAM TOPICS**

Applicants should submit proposals that address current local issues facing San Diego County residents. Topics of past award recipients have included unique approaches to fighting crime,

unique ways to increase awareness of health issues, new ways to encourage self sufficiency in underprivileged or challenged populations, and educating the general public about County services. **It is the Board of Supervisors' direction that County departments and applicants promote and reward issues that highlight the health, protection and future of our youth; a responsible and sustainable environment; and safe and livable communities.**

## **EVALUATION CRITERIA**

The Panel will evaluate all applications according to the following criteria:

- (1) **PROGRAM:** Does the Applicant clearly identify and describe all elements of the program, including: topic, subject matter, format (on-location, documentary, magazine style, news format, etc.) target audience, length and production techniques? Weight 30%
- (2) **NEED:** Does the Applicant clearly define a local need for the program and provide sources of information supporting the need? Weight: 35%
- (3) **IMPACT:** Does the Applicant clearly explain the impact of this program on the targeted audience and on the residents of San Diego County? Weight: 15%
- (4) **BENEFIT:** Does the Applicant clearly explain the specific benefits of this program to County residents? Weight: 20

## **FUNDING LEVEL**

The County Board of Supervisors and the Commission develop an annual budget for the Grant Program. For the 2004-2005 grant cycle, the Commission anticipates awarding up to five grants of \$10,000 each, depending upon the availability of proposals with sufficient merit to justify an award.

## **DISBURSEMENT SCHEDULE**

For the 2004-2005 grant cycle, the following disbursement schedule will be applied:

- (1) One third of the total award will be issued after (1) final adoption of the award by the Board of Supervisors, (2) attendance at a pre-production workshop, (3) submission of the program script and production schedule, and (4) submission of a written request for funds by the recipient organization.
- (2) One third of the total award will be issued after (1) completion of the shooting stages of the production, (2) submission of a revised script, and 3) submission of a written request for funds. **The Commission reserves the right to view portions of the footage shot and to make suggestions for script revisions before release of the second award payment.**

- (3) The third and final payment will be issued only after (1) receipt of the completed program tapes, (2) submission of all required financial and narrative reports, and (3) submission of a written request for funds. **The County will not release final payment until both the Commission and the Department of Media and Public Relations review and approve the submitted program.**

## **LIMITATIONS**

Funds are available only to promote the development of non-commercial, informational government programming through cable television. Grantees shall not use Program funds for institutional overhead or commercial use. All video production equipment purchases must have County approval, in writing, before procurement. The County Television Network (CTN) shall retain any equipment authorized for purchase upon completion of the production.

## **DURATION OF AWARD**

Completed projects are due in the office of the Department of Media and Public Relations by August 31, 2005. Grantees must submit all financial and reporting documents within thirty (30) days of the program completion date. **Any project not completed by August 31, 2005, may be subject to revocation of the Grant Program award.**

## **VIDEO FORMAT AND LENGTH**

The Grant Program funds projects to produce videotaped programs only. Grantees may not submit programs in film, multimedia, or other formats. Grantees shall use beta cam or digital tape formats for all videotaping, and shall provide program master copies on DVCAM digital tape, unless the Commission agrees in writing to accept a different format. **Grantees must submit two masters on DVCAM digital tape and one VHS copy to constitute completion of the project.** Grantees should label tapes with the title, producer, production date, total running time and audio channel.

Completed programs should run **twenty-eight minutes and thirty seconds (28:30)**, or consist of a series of two or more programs, each running twenty-eight minutes and thirty seconds (28:30).

## **VIDEO PRODUCTION GUIDELINES**

Applicants are expected to produce professional quality video programs comparable to the commercial and public programming available on local television and cable channels. Applicants must comply with the attached Video Production Guidelines throughout the writing, shooting and post-production of the project.

Please review these guidelines carefully and follow them in your production efforts. Commission staff uses the guidelines as a checklist for final approval of each project. Failure to comply with any guideline may cause delays in acceptance of your completed project.

## APPLICATION PROCESS

Applications must include:

- (1) Completed application summary sheet (included in this packet), which should serve as the cover page of the application;
- (2) Treatment of the project (four page maximum), which includes a detailed description of the proposed program or an outline of the main topics to be covered, the visual techniques to be used to present these topics, identification of subjects to be interviewed, hosts, talent, actors or others appearing in the program, and a description of additional funding sources, if any;
- (3) Production schedule;
- (4) Completed production budget sheet (included) and supporting documentation;
- (5) Summary sheet providing background on the organization, producer, director and scriptwriter;
- (6) List the organization's Board of Directors;
- (7) Letter of support from a County agency, signed by a County department head;
- (8) Nonprofit organizations must submit a copy of their IRS tax status letter.

In addition, Applicants are encouraged to provide, as a separate attachment, responses to the specific evaluation criteria described above. Additional support letters, matching fund commitments, draft scripts and other relevant materials may be included as attachments. However, the Evaluation Panel will judge applications on the quality, not quantity, of the materials submitted.

**Please submit the original plus seven (7) copies of the completed application.** An Application Checklist is included in this packet to help ensure that Applications are complete when submitted. **The Evaluation Panel will reject all incomplete applications.**

## PRODUCTION BUDGETS

Applicants must complete the attached "Production Budget Sheet," and should explain any out-of-the-ordinary expenses on a separate sheet. Applications must include a rate sheet and contact information from any contracted production house relied upon to support the budget submitted in the applicant's proposal.

## **SELECTION PROCESS**

The Cable Franchise Administrator will screen all submitted proposals for completeness and will make reasonable efforts to contact the Applicant and request missing materials before the deadline. The Evaluation Panel, at its sole discretion, may choose to accept incomplete applications, or to accept additional materials submitted after the deadline.

The Evaluation Panel shall include up to three Commission Members and at least three additional members consisting of County staff with expertise in community issues, professional staff of the County Department of Media and Public Relations and CTN and independent professional video producers. County conflict of interest rules and limitations shall apply to all members of the Evaluation Panel.

The Evaluation Panel will evaluate and rank the applications and compile a list of recommended applicants for review and approved by the Commission. The Board of Supervisors then approves these finalists.

**ALL DECISIONS ARE FINAL. THE CABLE TELEVISION AND TELECOMMUNICATIONS REVIEW COMMISSION AND THE BOARD OF SUPERVISORS RESERVE THE RIGHT TO APPROVE OR REJECT ANY GRANT PROGRAM APPLICATION.**

## **APPLICATION SUBMISSION LOCATION AND DEADLINE**

**Applicants should hand-deliver applications to the following address:**

**THE DEPARTMENT OF MEDIA AND PUBLIC RELATIONS  
ATTN: CABLE FRANCHISE ADMINISTRATOR  
1600 PACIFIC HIGHWAY, ROOM 208  
SAN DIEGO, CALIFORNIA 92101**

**The Department of Media and Public Relations must receive all applications by 5:00 PM, Monday, November 15, 2004.** The Evaluation Panel, at its sole discretion, may choose to accept late-filed applications, upon written request stating a compelling reason for the delay.

## APPLICATION QUESTIONS

Brief responses to the following four questions, as well as any additional comments, may be submitted as a separate attachment.

- |     |         |             |
|-----|---------|-------------|
| (1) | PROGRAM | Weight: 30% |
|-----|---------|-------------|

Describe the program and include in your response: program topic, subject matter, format (on location, documentary, magazine style, news format, etc.), target audience, length and production techniques.

- (2) NEED Weight: 35%

Define the local need for this program, and the source of information supporting the need.

- (3) IMPACT Weight: 15%

Explain the impact this program will have on the residents of San Diego County, and how the targeted audience will be reached.

- |     |         |             |
|-----|---------|-------------|
| (4) | BENEFIT | Weight: 20% |
|-----|---------|-------------|

Explain the benefit this program will have on County residents.



## APPLICATION CHECKLIST

All applications should be completed and should fully explain the intent of the production. A complete application to the County includes all of the materials listed below. The Application Summary Sheet must be the first page of the application and must be signed by the organization's project director.

**APPLICATIONS MUST BE DELIVERED TO THE DEPARTMENT OF MEDIA AND PUBLIC RELATIONS, CABLE FRANCHISE ADMINISTRATOR, 1600 PACIFIC HIGHWAY, ROOM 208, SAN DIEGO, CALIFORNIA, 92101. APPLICATIONS MUST BE RECEIVED BY 5:00 PM ON THE DAY REQUESTED.**

If any of the items listed are not included, the application will be considered incomplete. **ONLY APPLICATIONS THAT INCLUDE ALL ITEMS REQUESTED WILL BE EVALUATED.**

- \_\_\_\_\_ 1. Submit the original plus seven (7) copies of the application, including all attachments. The Application Summary Sheet should serve as the cover of the application.
- \_\_\_\_\_ 2. Submit a treatment of your proposal (four page maximum), which includes a detailed description of the proposed program and an outline of the main topics to be covered, the visual techniques to be used to present these topics, identification of subjects to be interviewed, hosts, talent, actors or others appearing in the program, and a description of additional funding sources, if any.
- \_\_\_\_\_ 3. Submit a realistic schedule from planning to completion of your production. Be specific, include script completion, pre-production, production and post-production schedules.
- \_\_\_\_\_ 4. Submit your production budget, along with the contractor rate sheet or equivalent that reflects your production budget.
- \_\_\_\_\_ 5. Submit a one-page summary of background information on the organization, producer, director and scriptwriter. No videotape is required as part of this application.
- \_\_\_\_\_ 6. Submit a list of the non-profit organization's Board of Directors.
- \_\_\_\_\_ 7. Submit a letter of support, signed by a County department head, with your application.
- \_\_\_\_\_ 8. Non-profit organizations must show proof of incorporation (Articles of Incorporation, Form 501C3 of the Internal Revenue Taxation Code, or Section 23701D of the State Revenue Taxation Code).
- \_\_\_\_\_ 9. Submit letters identifying participation, matching funds, donations or in-kind contributions from any group supporting the project.

GRANT APPLICATION SUMMARY SHEET

I. APPLICANT

Project Director Name \_\_\_\_\_

Organization \_\_\_\_\_

Project Title \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_

Zip \_\_\_\_\_ Phone \_\_\_\_\_

By signing this form, I certify that all statements made herein are true and to the best of my knowledge. I acknowledge that I have read the Grant Program Agreement and, if awarded a grant, I will abide by all terms and conditions set forth therein.

Signed (Project Director): \_\_\_\_\_ Date \_\_\_\_\_

Organization Tax ID Number (Required) \_\_\_\_\_

.....  
II. PROJECT SUMMARY (50 words or less)

.....  
III. BUDGET SUMMARY

AMOUNT

1. Salaries & Wages \_\_\_\_\_

2. Supplies & Materials \_\_\_\_\_

3. Equipment \_\_\_\_\_

4. Other Production Costs \_\_\_\_\_

Total Costs of the Project \_\_\_\_\_

Total Amount Requested from San Diego County of San Diego \_\_\_\_\_

## PRODUCTION BUDGET SHEET

The Production Budget Sheet identifies the total costs for the production, how the Applicant will spend County funds, and sources of any other contributions. Please itemize the following budget categories.

	<b><u>Production Budget</u></b>	<b><u>Amount Requested From County</u></b>
<b>Pre-production</b>		
Producer	\$	\$
Director	\$	\$
Scriptwriter	\$	\$
Location Scouting	\$	\$
Rehearsals	\$	\$

<b>Production</b>		
Producer	\$	\$
Director	\$	\$
Technical Director	\$	\$
Engineer	\$	\$
Camera Crew	\$	\$
Grips	\$	\$
Talent	\$	\$
Cameras	\$	\$
Tripods	\$	\$
VTR/Decks	\$	\$
Lighting	\$	\$
Batteries	\$	\$
Audio	\$	\$
Teleprompter	\$	\$

<b>Post-Production</b>		
Producer	\$	\$
Director	\$	\$
Editor	\$	\$
Graphics/Artists	\$	\$
On-Line Editing	\$	\$
Off-line Editing	\$	\$
Tape Logging	\$	\$
Special Effects	\$	\$
Audio	\$	\$
Tape Duplication	\$	\$

	<b><u>Production Budget</u></b>	<b><u>Amount Requested From County</u></b>
<b>Supplies and Materials</b>		
Videotape Stock	\$	\$
Set Construction Materials	\$	\$
Costume/Make-up	\$	\$
<b>*Copyright</b>	\$	\$

- **Submit to the County signed release forms of all copyrighted materials used in the production.**

### **Other Costs**

Publicity/Premiere	\$	\$
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### **TOTALS**

	\$	\$
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If the total budget exceeds the amount requested from the County, please identify sources of additional funds. You must attach a letter identifying these funds.

Identify sources of assistance (cable company, production house, etc.) and include the rate cards.

The Cable & Telecommunications Review Commission encourages the local participation of San Diego County residents and businesses in the performance of this contract.

**EQUAL OPPORTUNITY:** Contractor shall not discriminate against any employee, or against any applicant for such employment, because of age, race, color, religion, sex, sexual orientation, disabilities, ancestry or national origin, marital status, medical condition, family and medical leave. This provision shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

**AFFIRMATION ACTION:** The Contractor, his subcontractors and suppliers shall comply with the requirements for the County's Affirmative Action Program as set forth in Article IIIk of the Administrative Code of the County of San Diego, unless specifically exempted in accordance with the Article's rules and regulations as set forth in the Board of Supervisors' Resolution No. 84, dated January 23, 1974. Article IIIk is incorporated herein by reference.

## **Cable Grant Program: Video Production Guidelines**

**Please review these guidelines carefully and incorporate them into your production efforts. These guidelines are used as a checklist for final approval of each project.**

### **Writing:**

- ❑ Answer these questions:
  - What is your message?
  - Who is your audience? The grant program must be targeted to the general television viewer who watches CTN. (If your goal is to produce a more targeted fundraising/recruiting video, you can always re-edit it later).
  - How will you visualize your message? In other words, what pictures will go with your words? Don't write what you don't have. Make sure you have enough video to cover your words.
- ❑ Tell a story.
- ❑ Write in short, clear, declarative sentences.
- ❑ Write in a conversational way. To that end, use contractions.
- ❑ Make sure your facts and figures are accurate.
- ❑ Avoid using lingo that is specific to your industry. The general public will not understand it.
- ❑ Avoid stringing a bunch of interviews together without additional video (known as "B-Roll"). Long sequences of "talking heads" are not the best way to tell your story.
- ❑ Keep your interviews short. Sound bites should be less than thirty seconds long unless they are very powerful.
- ❑ Avoid opening segments longer than one minute before getting to the title of your program.

### **Shooting:**

- ❑ Shoot on a professional quality tape format, such as DV or Beta. Other formats will result in poor picture quality.
- ❑ Use a tripod.
- ❑ Pay close attention to sound quality, especially on interviews. Use windscreens on microphones in outdoor situations.

- ❑ Natural sound is very important for program quality and pacing. Please try to incorporate it in your program.
- ❑ Shoot active video; get your subjects doing something.
- ❑ Shoot plenty of “b-roll,” interesting video to cover long interviews.
- ❑ Avoid excessive use of pans, tilts and zooms unless there’s a good reason to use them.

### **Editing:**

- ❑ Do not start your program with audio over black (*i.e.*, music with no picture). This technique makes it very difficult to cue tape to the beginning for broadcast.
- ❑ Avoid going to black for more than a second or two between segments of your program.
- ❑ Don’t use VHS video as a source, except when absolutely necessary. Consider identifying it as “home video” or give a courtesy credit to the organization who shot the video.
- ❑ No jump cuts, please.
- ❑ Pay careful attention to the audio. Make sure it’s even and mixed properly.
- ❑ Music: Make sure it’s appropriate and does not take away from your message. Don’t let it overwhelm your interviews. Music with lyrics is distracting when playing as background to an interview. Also, make sure that you have permission to broadcast that music.
- ❑ Text/Titles/Credits:
  - Avoid placing too much text on the screen. Any text should be short and to the point and in a font large enough to see from across the room. Check spelling throughout the show, including credits.
  - Keep your name titles short. Keep them up for at least :04 if not longer. If interviews are repeated in segments, please repeat the name titles.
  - If adding phone numbers/hotlines, web sites, addresses, it is your responsibility to make sure they are accurate and that they will stay current for at least a year.
  - People on the receiving end of questions and phone calls must be informed to expect calls, letters, etc. when the program begins airing. Also, you must have permission to publicize the numbers, hotlines, etc.
  - The exact wording you should use in crediting the Cable Grant Commission is the following:

**This program was funded by an award from the County of San Diego  
Cable Television and Telecommunications Review Commission.**

This credit should be placed either the first or last in your series of credits.

**Before tapes are delivered to CTN:**

- ❑ Make a master tape of your program for your own organization on broadcast quality tape such as Beta or DV. We do not lend out our masters after they are given to us.
- ❑ If you are planning your own debut/launch date, please let CTN know. We don't guarantee this, but we will try to schedule our first airdate the same day or soon afterward.

# **COMMUNITY PARTNERSHIP FOR CABLE TELEVISION GRANT PROGRAM AGREEMENT**

**Grant Recipient: ("Grantee")** \_\_\_\_\_

**Amount Awarded: \$10,000.00**

**AN AGREEMENT, between the undersigned Community Partnership For Cable Television Grant Program ("Grant Program") Grantee and the County of San Diego ("County").**

Grantee hereby agrees to produce a videotape program(s) in accordance with the provisions set forth in the Grant Program Application Packet and the Grantee's Grant Proposal, all incorporated herein by reference. Grantee agrees to notify the County's designated representative of any changes to the Grantee's proposal treatment, production schedule or production budget.

The County agrees to pay Grantee a dollar amount award according to the payment schedule set forth herein, after obtaining reasonable assurances that Grantee has met all of the conditions of this agreement.

The Parties further agree to the following terms and conditions:

**I. ACCOUNTING AND RECORDS** C Grantee agrees to maintain records and accounts consistent with generally-accepted accounting principles and shall provide for such fiscal control and fund accounting procedures as are necessary to assure proper disbursement and accounting for project funds. Evidence of the receipt of matching funds and/or in-kind contributions identified in the original application must be documented and provided to the County.

**II. COST PRINCIPLES** C Only those costs set forth in the approved project budget are allowable unless County expressly authorizes changes. Per Diem and travel reimbursements may not exceed the current rates authorized by the County.

**III. EQUIPMENT PURCHASES** C Grantee agrees to use County funds only for those equipment purchases specified in the approved budget proposal. Grantee shall use such equipment for approved project purposes only. Any equipment funded by the County is the property of County. After completion of the project, the County shall retain all equipment purchased with award funds.

**IV. USE OF COPYRIGHTED MATERIALS** C Grantee agrees to procure all necessary licenses and clearances, and to make timely payment of any applicable fees for any copyrighted, trademarked or otherwise protected intellectual property used in the production. Grantee agrees to indemnify and hold the County harmless in any legal action arising from grantee's failure to procure such licenses or clearances, or failure to pay such fees.

**V. MODEL RELEASE** C Grantee agrees to procure and maintain all information pertaining to model releases for the production provided by the grant. Grantee agrees to indemnify and hold the County harmless in any legal action arising from grantee's failure to procure adequate model releases.



## **VI. REPORTS B**

(A) All requests for payment by the recipient must be accompanied by a financial report. The financial statement shall reflect how County award funds were spent, and should be accompanied by copies of receipts or invoices. Receipts of matching funds, donations, contributions, in-kind funds, etc., supporting the project must be included as well. The financial accounting should be similar to, if not the same as, the proposed project budget provided in the application.

(B) Final Report: Within 30 days after final completion of the production, grantee agrees to submit (1) a financial report which summarizes all expenditures of the funds, both County award funds and any donations, in-kind or matching funds, etc., and (2) a narrative report stating what was accomplished with an award. This report shall include any promotional materials developed in conjunction with the grant program.

## **VII. PAYMENTS B** The County will make payments to Grantee as follows:

(A) The first payment, consisting of one third of the total award, will be issued after (1) final adoption of the award by the Board of Supervisors, (2) attendance at a pre-production workshop, (3) submission of the program script and production schedule, and (4) submission of a written request for funds by the recipient organization;

(B) The second payment, consisting of one third of the total award, will be issued after (1) completion of the shooting stages of the production, (2) submission of a revised script, and (3) submission of a written request for funds. The Grant Program Administrator reserves the right to view portions of the footage shot and to make suggestions for script revisions prior to release of the second award payment;

(C) The third and final payment, consisting of any remaining funds due to the Grantee, will be issued only after (1) receipt of the completed program tapes, (2) submission of a Final Report, and (3) submission of a written request for funds. **County will not release final payments until the Department of Media and Public Relations approves the form and content of the program.**

**VIII. PROGRAM DUE DATE B** The due date for delivery of the completed production is August 31, 2005. Grantee agrees to notify the Cable Franchise Administrator immediately of any circumstances that may result in delay of delivery beyond the stated due date.

**IX. LIMITATIONS ON THE USE OF FUNDS C** Grantee may use award funds only for the activities set forth in the budget originally approved and attached to this agreement. Grantee must submit to the County in writing any proposed changes to the original application. The County will approve or reject such requests.

**X. MISAPPLIED FUNDS C** If the County determines that Grantee has misapplied Grant funds, Grantee agrees to repay to the County all such funds.

**XI. UNCOMMITTED FUNDS C** Grantee must return any funds that remain uncommitted by the project completion date within thirty (30) days of that date. Checks should be made payable to the County of San Diego, and submitted to the Cable Franchise Administrator.

**XII. INCOME EARNED FROM THE PROJECT (ROYALTY)** C All income earned by Grantee from the project shall accrue to the Grantee with the following provisions:

(A) Grantee shall pay to the County one half (1/2) of the net profits earned from the project. These payments, along with a written accounting of their basis, are due and payable no later than thirty days from March 31, June 30, September 30 and December 31 of each year for the quarter ending on each date.

(B) When the County has recovered the entire amount funded under this agreement, payments to the County shall cease and Grantee may retain all subsequent profits from the project.

**XIII. PUBLICATION AND ACKNOWLEDGMENT OF COUNTY AWARD FUNDS** C Any tangible result of project activity (productions, displays, exhibits, films, tapes, etc.) must bear an acknowledgment of support by the County of San Diego Cable Television Review Commission. The acknowledgment should read:

This program was funded by an Award from the County of San Diego Cable and Telecommunications Review Commission.

**XIV. ACCESS BY THE COUNTY TO PRODUCED MATERIALS** C Grantee understands and agrees that the purpose of all award activity is to promote the development of informational government programming through cable television.

To this end the County and Grantee agree to the following:

(A) The ownership and copyright of all produced materials are held by the Grantee.

(B) The County reserves the non-exclusive license to use, reproduce, edit, adapt and distribute to any entity without payment to recipient, any produced materials including copyrighted materials, which make up the completed production.

**XV. TRANSFER OF COPYRIGHT OR OWNERSHIP** C Should Grantee decide to sell copies of its program, or any of the rights to the program, Grantee shall notify the Cable Franchise Administrator within thirty (30) days of the date of the sale or transfer. Grantee agrees to provide copies of all transfer documents to the Cable Franchise Administrator within thirty (30) days of the transfer.

In the event that Grantee transfers any copyright, ownership, or distribution rights in the produced materials, Grantee agrees to take any action necessary to ensure that the County remains fully able to freely exercise all rights reserved under this Agreement.

**XVI. RELEASE FROM LIABILITY** B

(A) Under no circumstances shall the County, its officers, directors, employees, contractors and licensees be liable for any direct, indirect, incidental, special, punitive or consequential damages that result in any way from Grantee's participation in the Grant Program.

(B) Grantee assumes full responsibility for all content of the project videotape and related materials and assumes all liability for harm caused by any reliance on or use of inaccurate or misleading content or information contained therein.

**XVII. HOLD HARMLESS** C Grantee agrees to defend, indemnify, and hold the County and its officers, directors, employees, contractors and licensees harmless from any and all liabilities, costs and expenses, including reasonable attorney's fees, related to Grantee's failure to comply with the terms and conditions of this agreement.

**XVIII. NON-COMPLIANCE** C Grantee and the County agree that if any of the conditions set forth in this Agreement are not met, the County may at its option (1) take ownership of all materials produced, and/or (2) suspend all of its duties under this Agreement, including the duty to pay the award money, and/or (3) declare these duties discharged and require the recipient to repay the money previously awarded.

**XIX. ADMINISTRATION OF AGREEMENT** C The Cable Franchise Administrator, Department of Media and Public Relations shall be the County representative for the purpose of administering this agreement.

The undersigned has read and understands all of the terms and conditions in this Agreement, and hereby promises to fully comply with each and every such term and condition.

\_\_\_\_\_  
Signature of Organization's Project Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Grantee (Organization(s))

\_\_\_\_\_  
Title of Project

\_\_\_\_\_  
Clerk of the Board of Supervisors

\_\_\_\_\_  
Date